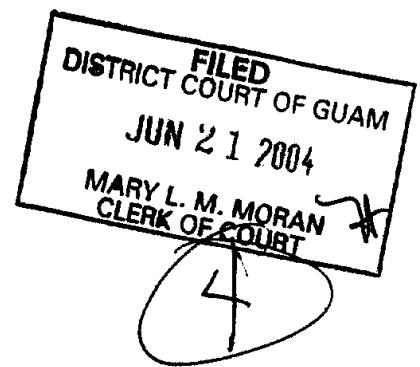


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Company of Micronesia, Inc. dba PacifiCare Asia Pacific

IN THE DISTRICT COURT OF GUAM

TERRITORY OF GUAM

IN THE MATTER OF THE) CIVIL CASE NO. 04-00030
ARBITRATION BETWEEN)
PACIFICARE HEALTH INSURANCE)
COMPANY OF MICRONESIA, INC.)
dba PACIFICARE ASIA PACIFIC,)
Petitioner,)
and)
GOVERNMENT OF GUAM,)
Respondent.)

NOTICE OF DISMISSAL OF
PETITION TO APPOINT
THIRD ARBITRATOR

On June 18, 2004 this Court issued an Order in the above-captioned cause directing the parties to file legal briefs concerning certain threshold jurisdictional matters pertaining to Petitioner's June 18, 2004 Petition for Appointment of Third Arbitrator. Jurisdictional matters aside, the Order raises concern that determination of the matter in this

ORIGINAL

NOTICE OF DISMISSAL OF PETITION TO APPOINT THIRD ARBITRATOR
In the Matter of the Arbitration Between PacifiCare Health Insurance Company of Micronesia, Inc.
dba PacifiCare Asia Pacific, Petitioner and Government of Guam, Respondent
District Court of Guam; Civil Case No. 04-00030

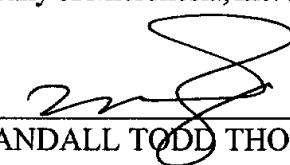
Court could be delayed by (1) the absence of a resident District Judge; and (2) the fact that the presiding Untied States Magistrate might be subject to disqualification because he presided over the judicial proceedings which are the subject matter of the arbitration demand during his service as a Guam Superior Court Judge.

Given these rather unique circumstances, and considering the need for an expeditious resolution of the impasse at hand, Petitioner hereby withdraws and dismisses its Petition, without prejudice, pursuant to Fed. R. Civ. P. 41 (a). Petitioner hereby serves notice to Respondent that it will instead seek appropriate relief in the Superior Court of Guam.

Respectfully submitted this 21st day of June, 2004.

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Attorneys for Petitioner PacifiCare Health Insurance
Company of Micronesia, Inc. dba PacifiCare Asia Pacific

By:


RANDALL TODD THOMPSON

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